

**RULES 63 AND 67 (37 C.F.R. 1.63 and 1.67)  
DECLARATION AND POWER OF ATTORNEY**

**FOR UTILITY/DESIGN/CIP/PCT NATIONAL APPLICATIONS**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name; and

I believe that I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **GENE MINING SYSTEM AND METHOD**, the specification of which: (mark only one)

- x   (a) is attached hereto.
- (b) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable)
- (c) was filed as PCT International Application No. PCT/\_\_\_\_\_ on \_\_\_\_\_ and was amended on \_\_\_\_\_ (if applicable).
- (d) was filed on \_\_\_\_\_ as Application Serial No. \_\_\_\_\_ and was issued a Notice of Allowance on \_\_\_\_\_.
- (e) was filed on \_\_\_\_\_ and bearing attorney docket number \_\_\_\_\_.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims as amended by any amendment referred to above or as allowed as indicated above.

I acknowledge the duty to disclose all information known to me to be material to the patentability of this application as defined in 37 CFR § 1.56. If this is a continuation-in-part (CIP) application, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability of the application as defined in 37 CFR § 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this CIP application.

I hereby claim foreign priority benefits under 35 U.S.C. § 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate filed by me or my assignee disclosing the subject matter claimed in this

application and having a filing date (1) before that of the application on which my priority is claimed or, (2) if no priority is claimed, before the filing date of this application:

PRIOR FOREIGN PATENTS

<u>Number</u>	<u>Country</u>	<u>Month/Day/Year Filed</u>	<u>Date first laid-</u>	<u>Date</u>	<u>Priority Claimed</u>	
			<u>open or Published</u>	<u>patented or Granted</u>	<u>Yes</u>	<u>No</u>
_____	_____	_____	_____	_____	_____	_____

I hereby claim the benefit under 35 U.S.C. § 120/365 of any United States application(s) listed below and PCT international applications listed above or below:

PRIOR U.S. OR PCT APPLICATIONS

<u>Application No. (series code/serial no.)</u>	<u>Month/Day/Year Filed</u>	<u>Status(pending, abandoned, patented)</u>
60/161,527	October 26, 1999	pending
60/161,571	October 26, 1999	pending

I hereby appoint:

Timothy G. Ackermann, Reg. No. 44,493  
Benjamin J. Bai, Reg. No. 43,481  
Michael J. Blankstein, Reg. No. 37,097  
Mary Jo Boldingh, Reg. No. 34,713  
Margaret A. Boulware, Reg. No. 28,708  
Arthur J. Brady, Reg. No. 42,356  
Matthew O. Brady, Reg. No. 44,554  
Daniel J. Burnham, Reg. No. 39,618  
Thomas L. Cantrell, Reg. No. 20,849  
Ronald B. Coolley, Reg. No. 27,187  
Thomas L. Crisman, Reg. No. 24,846  
Stuart D. Dwork, Reg. No. 31,103  
William F. Esser, Reg. No. 38,053  
Roger J. French, Reg. No. 27,786  
Janet M. Garetto, Reg. No. 42,568  
John C. Gatz, Reg. No. 41,774  
Russell J. Genet, Reg. No. 42,571  
Gerald H. Glanzman, Reg. No. 25,035  
J. Kevin Gray, Reg. No. 37,141

Steven R. Greenfield, Reg. No. 38,166  
Joshua A. Griswold, Reg. No. 46,310  
J. Pat Heptig, Reg. No. 40,643  
Sharon A. Israel, Reg. No. 41,867  
John R. Kirk Jr., Reg. No. 24,477  
Paul R. Kitch, Reg. No. 38,206  
Timothy M. Kowalski, Reg. No. 44,192  
James F. Lea Iii, Reg. No. 41,143  
Hsin-wei Luang, Reg. No. 44,213  
Robert W. Mason, Reg. No. 42,848  
Roger L. Maxwell, Reg. No. 31,855  
Robert A. Mcfall, Reg. No. 28,968  
Steven T. McDonald, Reg. No. 45,999  
Lisa H. Meyerhoff, Reg. No. 36,869  
Stanley R. Moore, Reg. No. 26,958  
Richard J. Moura, Reg. No. 34,883  
Mark V. Muller, Reg. No. 37,509  
P. Weston Musselman Jr. Reg No. 31,644  
Daniel G. Nguyen, Reg. No. 42,933

Spencer C. Patterson, Reg. No. 43,849  
Russell N. Rippamonti, Reg. No. 39,521  
Ross T. Robinson, Reg. No. 47,031  
Stephen G. Rudisill, Reg. No. 20,087  
Holly L. Rudnick, Reg. No. 43,065  
J.I. Jennie Salazar, Reg. No. 45,065  
Keith W. Saunders, Reg. No. 41,462  
Jerry R. Selinger, Reg. No. 26,582  
Gary B. Solomon, Reg. No. 44,347  
Steve Z. Szczepanski, Reg. No. 27,957  
Andre M. Szuwalski, Reg. No. 35,701  
Alan R. Thiele, Reg. No. 30,694  
Tamsen Valoir, Reg. No. 41,417  
Raymond Van Dyke, Reg. No. 34,746  
Brian D. Walker, Reg. No. 37,751  
Gerald T. Welch, Reg. No. 30,332  
Harold N. Wells, Reg. No. 26,044  
William D. Wiese, Reg. No. 45,217

all of the firm of **JENKENS & GILCHRIST, P.C.**, 3200 Fountain Place, 1445 Ross Avenue, Dallas, Texas 75202-2799, as my attorneys and/or agents, with full power of substitution and revocation, to prosecute this application, provisionals thereof, continuations, continuations-in-part, divisionals, appeals, reissues, substitutions, and extensions thereof and to transact all business in the United States Patent and Trademark Office connected therewith, to appoint any individuals under an associate power of attorney and to file and prosecute any international patent application filed thereon before any international authorities, and I hereby authorize them to act and rely on instructions from and communicate directly with


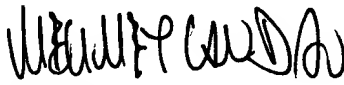
the person/assignee/attorney/firm/organization who/which first sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct them in writing to the contrary.

Please address all correspondence and direct all telephone calls to:

Raymond Van Dyke, Esq.  
Jenkins & Gilchrist, P.C.  
3200 Fountain Place  
1445 Ross Avenue  
Dallas, Texas 75202-2799  
214/855-4708 214/855-4300 (fax)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

**NAMED INVENTOR(S)**

1	Lee A. Bulla, Jr.	 Inventor's Signature	2506100 Date
	Full Name		
	6455 U.S. Hwy. 377 Tioga, Texas 76271 Residence (city, state, country)		
	6455 U.S. Hwy. 377 Tioga, Texas 76271 Post Office Address (include zip code)		
2	Mehmet Candas	 Inventor's Signature	10/25/2000 Date
	Full Name		
	13859 Peyton Dr. 1 Dallas, Texas 75240 Residence (city, state, country)		
	13859 Peyton Dr. 1 Dallas, Texas 75240 Post Office Address (include zip code)		

**VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS  
(37 CFR 1.9(f) & 1.27(b)) - INDEPENDENT INVENTOR**

Applicant or Patentee: Bulla, Jr. et al.

Serial No. Unknown

Filed: Unknown

Title: GENE MINING SYSTEM AND METHOD

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for the purposes of paying reduced fees to the Patent and Trademark Office with regard to the invention as described in:

☒ [X ] the specification filed herewith.

☐ [ ] application serial no. \_\_\_\_\_, filed \_\_\_\_\_.

☐ [ ] patent no. \_\_\_\_\_, issued \_\_\_\_\_.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(c) or a nonprofit organization under 37 CFR 1.9(c).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ [X] no such person, concern, or organization

☐ [ ] persons, concerns or organizations listed below\*

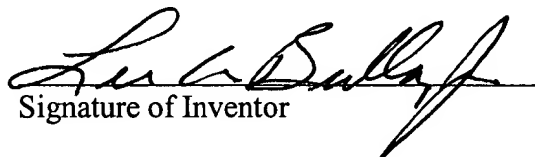
\* NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

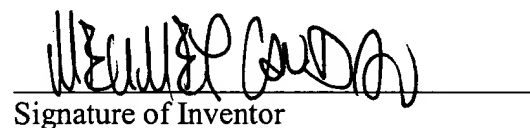
Name of Inventor:  
LEE A. BULLA, JR.

Date: 25 Oct 00

  
Signature of Inventor

Name of Inventor:  
MEHMET CANDAS

Date: 10/25/2000

  
Signature of Inventor